

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**GREGORY MARQUE HILLIE**

**PLAINTIFF**

**V.**

**NO. 4:17-CV-69-DMB-DAS**

**SHERIFF KELVIN WILLIAMS, et al.**

**DEFENDANTS**

**ORDER**

This civil rights action is before the Court on the Report and Recommendation of United States Magistrate Judge David A. Sanders. Doc. #14.

**I**  
**Procedural History**

On or about May 24, 2017, Gregory Marque Hillie, an inmate at Bolivar County Regional Correctional Facility, filed a pro se complaint in this Court against “Sheriff Kelvin William,” “Government Phil Bryant” and the “Federal Government.” Doc. #1. On August 11, 2017, following a *Spears* hearing, Judge Sanders issued a Report and Recommendation construing Hillie’s complaint as requesting that criminal charges be instituted against the defendants and asserting claims sounding under § 1983, the Hate Crimes Prevention Act (“HCPA”), and the Americans with Disabilities Act (“ADA”). Doc. #14.

The Report and Recommendation recommends that (1) the Federal Government and Bryant be dismissed from this action; (2) the HCPA claim be dismissed; (3) the § 1983 claim be dismissed to the extent it is premised on an alleged violation of the right to speedy trial; (4) the request to procure criminal charges be dismissed; (5) the ADA individual capacity claim against Williams be dismissed; and (6) process issue against Williams on Hillie’s remaining claims. The Report and Recommendation warned that failure to object to the recommendations within fourteen days

would limit this Court to a clear error review of the Report and Recommendation. Neither party has filed objections to the Report and Recommendation.

## **II** **Analysis**

Where objections to a report and recommendation have been filed, a court must conduct a “de novo review of those portions of the ... report and recommendation to which the Defendants specifically raised objections. With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F.Supp.2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Serv. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)) (internal citation omitted).

The Court has reviewed the Report and Recommendation and has found no plain error. Accordingly, the Report and Recommendation [14] is **ADOPTED** as the order of this Court. Those persons and claims recommended for dismissal in the Report and Recommendation as described above are dismissed; and process shall issue against Williams on Hillie’s remaining claims.

**SO ORDERED**, this 3rd day of November, 2017.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**